

SUMMARY

Solid Waste Advisory Committee Meeting

February 10, 2009

On February 10, 9:30 AM, the State Municipal Solid Waste Advisory Committee (SWAC), Division of Solid Waste Management staff, participants, and observers met in the 17th Floor Conference Room, L&C Tower, 401 Church Street, Nashville, TN.

Members present: Lewis Bumpus, Ted Fox, Penny Brooks, John Waddle, Kevin Davis, Sharon Smith, Diane Scher, Susan Reid, Eddie Clark, J. H. Graham, and ex-officios Jack Barkenbus, Karen Holt, Chuck Head

Members absent: Joe Lambert, Don Hyman, Mary Wright, and Jimmy Fleming.

Lewis Bumpus, Chairman, opened the meeting with cordial welcome and introductory remarks to committee members and the audience. He then recognized Joyce Dunlap who introduced the SWAC members and organization's they represent. Mr. Bumpus then asked for review of the summary from the July meeting for approval. A motion was made by Mayor Graham to approve the summary as written and seconded by Mayor Davis. Mr. Bumpus then recognized Matt Maynard who began the program updates portion of the agenda.

Matt Maynard, reporting for the PLANNING, REPORTING, and WASTE REDUCTION (PRWR) SECTION, stated that he has lost two staff members in the past six months, leaving the PRWR Section with only four people. The Qualitative Assessment visits and reports for Calendar Year 2006 have been finalized, and 3 of the 5 counties which failed to achieve the reduction goal in 2006 were found to be qualitatively equivalent to their comparison counties. The remaining two counties, Scott and Perry, were found not to be qualitatively equivalent to their respective comparison counties. Visits with county and municipal officials in the 5 MSW regions that failed to achieve the 25% waste reduction goal in 2007 are now underway. Needs Assessments are being required from the development district for each of these failed counties. The 2008 Annual Progress Report form is available for completion on line through Re-Trac. These reports are due to be completed by March 31, 2009.

Ron White reported for the GRANTS SECTION stating that Equipment Grants totaling \$424,853 went to 16 counties, 1 municipality, and 2 non-profit organizations. Recycling Rebates went to the top eleven generator counties for the purchase of recycling equipment and recycling promotion. Total amount obligated \$600,000. Waste Tire Grants totaling \$4,313,710 went to 89 counties for 20,692.48 tons of tires manifested to beneficial use. One Waste Tire Clean-up Grant went to Fayette County for 177 tons of recovered tires. Four HHW O&M Grants were awarded to Nashville, Knoxville, Chattanooga, and Memphis/Shelby County with funds totaling \$340,000. Eight Development District Grants, totaling \$409,618, were awarded to eight development districts. RMCT is working to provide free electronic pickup for counties and some 1500 tons have been collected, equaling over \$1,050,000 cost avoidance savings for the HHQW mobile events program. Due to these savings, the Department has agreed to increase RMCT's grant for the addition of a staff member in the amount of \$13,000 in FY09 and \$26,000 in FY10. Grants to CTAS and CIS in FY09 totaled \$341,085 and \$247,000 respectively. Tennessee State University (TSU) received \$99,900 for providing a waste characterization study directed by the General Assembly in 2007. And, during FY09, 27 Used Oil Grants, totaling \$411,250, were received by 17 counties, 9 municipalities, and 1 private business to set up and upgrade used oil collection sites for D.I.Y.'s.

Louis Bordenave introduced members of the Problem Wastes Section: Paula Mitchell, Robert Wadley, and Cody Chapman, who is assigned to the Used Oil Program and assists with the HHW events. The Section deals with HHW, scrap tire cleanup, electronics, paint, and used oil. Three piles of tires we are attempting to clean up are legacy piles and have been there for years. We are going to clean these up without placing any liens on the properties. We have just cleaned up an unpermitted waste tire site in Fayette County (176 tons).

Paula Mitchell reported for the PROBLEM WASTE SECTION, stating that, for the past few years, their priority has been to encourage counties to manage certain problem wastes, e.g., lead-acid batteries, oil, latex paint, anti-freeze, and electronics (BOPAE), away from the HHW events. These efforts are resulting in decreased participation at the mobile collection events, which have historically been the method for measuring the program's success. A new matrix has been established for the Fall 2009 season, which will calculate the percent of hazardous materials (%HazMat) collected. Increases in the collection of e-scrap, more counties managing BOPAE, greater %HazMat, and higher cost/HH is expected. The 2008 Fall season recorded 28 mobile collections, 11,743 households participating, 432 tons collected, and an average household cost of \$46.87. The %HazMet was 18% (goal =20%).

The Office of Environmental Assistance (OEA) reported on their programs. Karen Grubbs, gave a brief presentation about activities of Tennessee Solid Waste Education Project (TN-SWEP). TN-SWEP is an educational project supported by the Solid Waste Management Fund and designed to help Tennessee students, teachers and local officials understand issues about solid waste management, source reduction, recycling, natural resource conservation, and environmental protection.

To date in Fiscal Year 2008-2009, TN-SWEP staff has delivered 11 in-services and workshops, provided 122 classroom presentations, and completed 25 consultations related to Green Schools and/or the School Chemical Cleanout programs.

Christina Treglia reported on OEA's State Employee Recycling Program. Since its inception in January, 1990 state employees recycled 15,887.3 tons of mixed office paper resulting in revenue of \$153,747 while avoiding \$474,827 in landfill costs. The focus in 2009 will be to become more efficient in capturing a larger portion of the waste stream to include cardboard, recycling more secure documents properly, capturing plastics from the State labs, and insuring that mercury lamps are properly recycled. OEA will continue to work with State parks, Tennessee Department of Corrections, Tennessee Welcome Centers and Tennessee Performing Arts Center to recycle at various venues.

Ken Nafe reported on the School Chemical Cleanout (SC3) program for OEA. The SC3 program has assisted a grand total of 178 schools with proper chemical disposal and management, improving the health and safety of an estimated 189,676 students. This total includes the four pilot schools in 2003. From June 1, 2008 to December 31, 2008, waste from 25 schools was removed and properly disposed at a total cost of \$14,507, improving the school environment for 21,873 students and teachers. The schools generated 7,045 pounds of hazardous lab waste, which included 197 pounds of mercury and an estimated 2,113 pounds of formaldehyde. All costs were charged to the EPA Solid Waste Grant because of the reduced contracting and disposal cost and to increase efficiency. No EPA Pollution Prevention funds were used. The Tennessee SC3 program has removed a total of 45,986 pounds of waste, including 1,003 pounds of mercury and an estimated 13,791 pounds of formaldehyde in 178 schools.

Next, Larry Christley presented the draft waste reduction rules and gave the SWAC a summary of action by the Solid Waste Disposal Control Board (SWDCB) on February 3, 2009. At that meeting, the SWDCB was requested to approve sending the draft rules out for public comment. However, after some discussion a vote was taken and the result of the vote ended in a tie, failing to approve sending the draft rules forward. The SWDCB made motion to table the draft rules until their June meeting with a provision that the SWAC review the draft language to see if the rules could be streamlined or broken into sections for future consideration. It was suggested that the SWAC take into account current economic and infrastructure concerns prior to returning to the SWDCB in June, 2009.

Chuck Head, Senior Director for Land Resources in the Department of Environment and Conservation advised the SWAC that the current method of solid waste reduction is not working; there is nothing to push for continual improvement. Thirteen million tons of waste is generated annually with most still being disposed in Class I landfills. Tonnage diverted to Class III/IV is counted as reduction although it is still being buried. He indicated that this draft rule package is a tool that local governments and business can use to obtain continuing reduction. This draft rule does not count Class III/IV toward the goal. This draft rule encourages recycling and reuse of materials while supporting bans of certain materials to move those away from being landfilled. He indicated that the SWDCB expressed a concern that waste management companies would become the policeman for each load coming into a landfill placing an undue burden on that company. He stated that this was not the intent of the draft rules. The rules are intended to allow each city/county ban and reclaim materials depending on what they have the resources to accomplish and as they develop additional resources. The SWDCB was concerned that current economic times and depressed recycling markets would make the draft rules difficult to implement and place an undue hardship on local governments and citizens. He reiterated that something has to be put in place that drives Tennesseans to use these materials instead of just throwing them away.

The SWAC members discussed a variety of concerns ranging from cost effectiveness of Enterprise Fund accounting, sanctions for not meeting timelines in draft rules, statewide bans rather than individual county-by-county, city-by-city bans, to establishment of best management practices for the largest 15 counties.

After much discussion about the various aspects of the draft rules, the SWAC requested additional time to review the draft rules in more detail and to have discussion with their constituents about concerns/controversial issues with the draft rule package. The SWAC suggested that some additional information may be needed from staff in order for them to make final recommendations. It was agreed that each SWAC member will submit their list of concerns and needs for additional information and the next meeting will be based on concerns and needs expressed.

The meeting was adjourned at 1:45 PM.